

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION

BRENDA K. JOHNSON §  
VS. § CIVIL ACTION NO. 6:09cv34  
COMMISSIONER,  
SOCIAL SECURITY ADMINISTRATION §

ORDER ADOPTING REPORT AND RECOMMENDATION

The Court referred the above-entitled and numbered civil action to United States Magistrate Judge John D. Love. The Magistrate Judge presented for consideration the Magistrate Judge's Report, containing proposed findings of fact and recommendations for disposition. No objections were filed.

This Court finds that the Magistrate Judge's findings and conclusions are correct and adopts them as the Court's findings and conclusions. The Court therefore

**ORDERS, ADJUDGES, and DECREES** that this action is **REVERSED** and **REMANDED** for the Administration to make a proper determination of Plaintiff's IQ scores, on which the Administration can make a proper determination of whether Plaintiff established a § 12.05(C) listed impairment, and if not, then to proceed through the sequential analysis to make a

proper determination of whether Plaintiff is disabled;

**ORDERS** that all motions not previously ruled on are denied.

**SIGNED** this 17th day of March, 2010.



Michael H. Schneider  
MICHAEL H. SCHNEIDER  
UNITED STATES DISTRICT JUDGE